

<b>TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT</b> (Under 37 CFR 1.97(b) or 1.97(c))			Docket No. 13095A
In Re Application Of: <b>Robert Harris</b>			
Serial No. 10/688,709	Filing Date October 17, 2003	Examiner Unassigned	Group Art Unit 1646
Title: <b>NEW USES FOR AMINO ACID ANTICONVULSANTS</b>			
Address to: <b>Commissioner for Patents</b> <b>P.O. Box 1450</b> <b>Alexandria, VA 22313-1450</b>			
<b>37 CFR 1.97(b)</b>			
1. <input checked="" type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.			
<b>37 CFR 1.97(c)</b>			
2. <input type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:			
<div style="margin-left: 40px;"> <input type="checkbox"/> the statement specified in 37 CFR 1.97(e);         </div>			
<b>OR</b>			
<div style="margin-left: 40px;"> <input type="checkbox"/> the fee set forth in 37 CFR 1.17(p).         </div>			

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**  
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.  
13095A

In Re Application: **Robert Harris**

Serial No.  
10/688,709

Filing Date  
October 17, 2003

Examiner  
Unassigned

Group Art Unit  
1646

**NEW USES FOR AMINO ACID ANTICONVULSANTS**

**Payment of Fee**

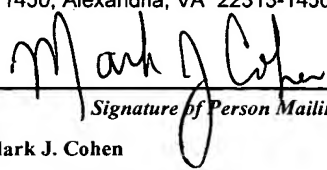
(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☐ A check in the amount of \_\_\_\_\_ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. **19-3886/RCT** as described below.
- ☐ Charge the amount of \_\_\_\_\_
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.

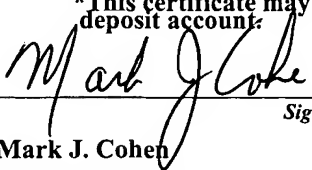
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**Certificate of Mailing by First Class Mail**

I certify that this document and fee is being deposited on <u>7/6/04</u> with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
 Signature of Person Mailing Correspondence	
Mark J. Cohen	
_____ Typed or Printed Name of Person Mailing Certificate	

\*This certificate may only be used if paying by deposit account:

  
Signature

Mark J. Cohen  
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Dated: **July 6, 2004**

CC:



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicants:** Robert Harris

**Examiner:** Unassigned

**Serial No.:** 10/688,709

**Art Unit:** 1646

**Filed:** October 17, 2003

**Docket:** 13095A

**For:** NEW USES FOR AMINO ACID  
ANTICONSULSANTS

**Dated:** July 6, 2004

**Confirmation No.:** 2201

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

In accordance with 37 C.F.R §§1.97 and 1.98, it is requested that the following references, which are also listed on the attached Form PTO-1449, be made of record in the above-identified case.

1. United States Patent No. 5,773,475, issued June 30, 1998;
2. United States Patent No. 5,654,301, issued August 5, 1997;
3. Parsons, et al., "Modulation of NMDA receptors by glycine – introduction to some basic aspects and recent developments", Amino Acids, 14: 207-216 (1998);

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**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 6, 2004.

**Dated:** July 6, 2004

  
\_\_\_\_\_  
Mark J. Cohen

4. Wlaz, et al., "Anticonvulsant effects of eliprodil alone or combined with the glycine<sub>B</sub> receptor antagonist L-701,324 or the competitive NMDA antagonist CGP 40116 in the amygdala kindling model in rats", Neuropharmacology, 38: 243-251 (1999); and
5. Ebert, et al., "Anticonvulsant effects by combined treatment with a glycine<sub>B</sub> receptor antagonist and a polyamine site antagonist in amygdala-kindled rats", European Journal of Pharmacology, 322: 179-184 (1997).

The references were cited in a Search Report dated May 12, 2004 received from the European Patent Office. In accordance with the waiver of 37 C.F.R. § 1.98 (a)(2)(i) in effect as of June 30, 2003, applicants are not required to submit copies of the above-cited U.S. Patent references 1-2.

It is noted that the Search Report lists additional citations:

United States Patent No. 5,378,729, issued January 3, 1995;

International Publication No. WO 99/43309, published September 2, 1999;

Kohn, et al., "Synthesis and Anticonvulsant Activities of  $\alpha$ -Heterocyclic  $\alpha$ -Acetamido-N-benzylacetamide Derivatives", J. Med. Chem., 36: 3350-3360 (1993);

Andurkar, et al., "The Anticonvulsant Activities of N-Benzyl 3-Methoxypropionamides", Bioorganic & Medicinal Chemistry, 7: 2381-2389 (1999);

Toniolo, et al., "A crystal-state, solution and theoretical study of the preferred conformation of linear C $^{\alpha}$ ,  $\alpha$ -diphenylglycine derivatives and dipeptides with potential anticonvulsant activity", Int. J. Peptide Protein Res., 44: 85-95 (1994);

Billich, et al., "HIV proteinase inhibitors containing 2-aminobenzylstatine as a novel scissile bond replacement: biochemical and pharmacological characterization", Antiviral Research, 25: 215-233 (1994);

These items were previously submitted in an Information Disclosure Statement dated October 17, 2003. It is deemed not necessary to make these of record again or resubmit copies of same to the United States Patent and Trademark Office.

Applicant is submitting copies of the above-cited references 1-5, together with a copy of the Search Report. The relevance of the above-identified references has been described in the Search Report.

Inasmuch as this Information Disclosure Statement is being submitted in accordance with the schedule set out in 37 C.F.R. § 1.97(b), no statement or fee is required.

Respectfully submitted,




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Form PTO-1449 U.S. DEPARTMENT OF COMMERCE (REV. 7-80) PATENT AND TRADEMARK OFFICE				Atty. Docket No. 13095A		Serial No. 10/688,709	
<b>LIST OF PRIOR ART CITED BY APPLICANT</b>  (Use several sheets if necessary)				Applicant Robert H. Harris			
Filing Date October 17, 2003				Group Art Unit 1646			

U.S. PATENT DOCUMENTS							
EXAMINER INITIAL*		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE (if appropriate)
	AA	5,773,475	6/30/98	Kohn			
	AB	5,654,301	8/5/97	Kohn, et al.			
	AC	5,378,729	1/3/95	Kohn, et al.			

FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION
							YES      NO
		WO 99/43309	9/2/1999	PCT			

OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)	
	Kohn H. et al., "Synthesis and anticonvulsant activities of $\alpha$ -heterocyclic $\alpha$ -acetamido-N-benzylacetamide derivatives", <i>Journal of Medicinal Chemistry, United States</i> 29 October 1993, vol. 36, no. 22, pp. 3350-3360
	Andurkar, et al., "The Anticonvulsant Activities of N-Benzyl 3-Methoxypropionamides", <i>Bioorganic &amp; Medicinal Chemistry</i> 7 (1999), pp. 2381-2389
	Toniolo, et al., "A crystal-state, solution and theoretical study of the preferred conformation of linear C. $\alpha$ -diphenylglycine derivatives and dipeptides with potential anticonvulsant activity", <i>Int. J. Pept. Protein Res.</i> 44. 1994, 85-95, XP001074241, , Page 85, column 1, paragraph 2, Page 86, column 1; example XIV
	Billich, et al., "HIV proteinase inhibitors containing 2-aminobenzylstatine as a novel scissile bond replacement: biochemical. and pharmacological characterization", <i>Antiviral Research</i> 25 (1994) pp. 215-233
	Parsons, et al., "Modulation of NMDA receptors by glycine – introduction to some basic aspects and recent developments", <i>Amino Acids</i> , 14: 207-216 (1998)
	Wlaz, et al., "Anticonvulsant effects of eliprodil alone or combined with the glycine <sub>B</sub> receptor antagonist L-701,324 or the competitive NMDA antagonist CGP 40116 in the amygdala kindling model in rats", <i>Neuropharmacology</i> , 38: 243-251 (1999)
	Ebert, et al., "Anticonvulsant effects by combined treatment with a glycine <sub>B</sub> receptor antagonist and a polyamine site antagonist in amygdala-kindled rats", <i>European Journal of Pharmacology</i> , 322: 179-184 (1997)

EXAMINER	DATE CONSIDERED
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\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.